

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 2-3, 6-8, 10-13, 15-20, and 22 are currently being amended.

Claims 23-25 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-25 are now pending in this application.

In the Office Action, claims 2, 6-8, and 15-17 were rejected under 35 U.S.C. 112, second paragraph. In response to the rejection, Applicant has amended these and other claims in order to fully address any potential issues under 35 U.S.C. § 112. Accordingly, this rejection should be reconsidered and withdrawn.

Also in the Office Action, claims 1-22 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Saneyoshi et al. (U.S. Patent No. 5,410,346). Applicant respectfully disagrees with the rejection. For at least the reasons set forth herein, this rejection has been overcome.

Independent claims 1, 11 and 22 of the present application, recite the following feature: “calculating a present inter-vehicle distance of the vehicle to the preceding vehicle at a present time point from a previous inter-vehicle distance calculated thereby at a previous time point at which the inter-edge spacing of the mutually opposing edges has previously been detected and the inter-edge spacings at the previous time point and at the present time point” (emphasis added). Namely, the present inter-vehicle distance is calculated from the mutually opposing edges (including a part of the preceding vehicle) at the present time point.

the mutually opposing edges at the previous time point, and the previous inter-vehicle distance.

In contrast, in Saneyoshi et al., a distance distribution is calculated (or, determined) over an entire image plane, by means of discrepancy amounts ( $\delta$ ) (i.e., pixel amount) between left and right pictures taken by two CCD cameras (10). Afterwards, roads and objects (e.g., object vehicle) are detected on (the distance distribution of) the entire image plane. Then, a speed variation of the detected object is recognized based on variation of the distance distribution of the object detected in the entire image plane, in order to control a collision avoidance of the vehicle etc. Namely, in Saneyoshi et al., the present inter-vehicle distance (i.e., distance up to the object) is derived from the calculated distance distribution over the entire image plane, not a previous inter-vehicle distance and the inter-edge spacings at the previous time point and at the present time point in accordance with the presently claimed invention.

Accordingly, the feature of claims 1, 11 and 22 in the present invention of “calculating a present inter-vehicle distance from a previous inter-vehicle distance and the inter-edge spacings at the previous time point and at the present time point” is not disclosed, taught or suggested by Saneyoshi et al. Therefore, independent claims 1, 11, and 22 of the present application, and those claims depending therefrom, are not anticipated by Saneyoshi et al. Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b).

Applicant also introduces new claims 23-25 as described above. These claims depend from claims 1, 11 and 21 respectively and are allowable over the cited prior art for the reasons mentioned above with respect to the independent claims and in view of their additional recitations.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Examiner is requested to acknowledge to Proprietary Information Disclosure Statement filed with the present application on September 21, 2001, and provide the information set forth in MPEP 724.04(a).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

FEBRUARY 23, 2005

By

  
Re No 41514

FOLEY & LARDNER LLP  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5143  
Telephone: (202) 672-5414  
Facsimile: (202) 672-5399

Richard L. Schwaab  
Attorney for Applicant  
Registration No. 25,479